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(775) 784-5438  
5 *Attorneys for the United States*

6 UNITED STATES DISTRICT COURT  
7 DISTRICT OF NEVADA

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.

11 CHRISTOPHER SANGALANG,

12 Defendant.  
13

Case No. 2:08-cr-00163-JCM-GWF

**STIPULATION REGARDING  
RESENTENCING**

14 **IT IS HEREBY STIPULATED AND AGREED**, by and between ELIZABETH O.  
15 WHITE, Assistant United States Attorney, counsel for the United States of America, and  
16 SUNETHRA MURALIDHARA, Esq., Assistant Federal Public Defender, counsel for  
17 Christopher Sangalang, to jointly recommend that the Court, having granted  
18 Sangalang's motion to vacate his conviction and sentence on Count 3 pursuant to 28  
19 U.S.C. § 2255, resentence Sangalang to concurrent terms of 119 months' imprisonment  
20 on Counts 1 and 2 (to also run concurrent with the sentence imposed in case 2:08-CR-  
21 0140-KJD-LRL) to be followed by five years of supervised release. The parties further  
22 stipulate that the Court may enter an amended judgment without Sangalang's presence  
23 in light of his express waiver of his right to be present. *See* Exh. 1 (declaration).  
24

1 This Stipulation is requested for the following reasons:

2 1. On April 2, 2010, the jury convicted Sangalang of conspiracy to interfere with  
3 commerce by robbery (“Hobbs Act conspiracy”) in violation of 18 U.S.C. § 1951 (Count 1);  
4 conspiracy to possess with intent to distribute cocaine, in violation of 21 U.S.C. §§ 846,  
5 841(a) (Count 2); and (3) possession of a firearm during and in relation to a drug  
6 trafficking crime and a crime of violence, in violation of 18 U.S.C. § 924(c) (Count 3).  
7 ECF No. 486. January 14, 2011, this Court sentenced Sangalang to concurrent terms of  
8 119 months’ imprisonment on Counts 1 and 2 (also concurrent with the sentence  
9 imposed in case 2:08-CR-0140-KJD-LRL); and a consecutive term of 60 months’  
10 imprisonment on Count 3; to be followed by five years of supervised release. ECF No.  
11 576. This Court entered judgment on December 21, 2010. ECF No. 578. Sangalang  
12 appealed, ECF No. 582, and the court of appeals affirmed, ECF No. 663.

13  
14 2. In December 2016, Sangalang filed a § 2255 motion, arguing that his § 924(c)  
15 conviction and sentence must be vacated in light of *Johnson v. United States*, 135 S. Ct.  
16 2551 (2015). ECF No. 717. After full briefing, this Court granted Sangalang’s motion.  
17 ECF No. 739. The Court orders the parties to file re-sentencing memoranda and  
18 scheduled a resentencing hearing for July 12, 2018. *Id.*

19 3. In light of the Court’s ruling vacating Sangalang’s conviction on Count 3, the  
20 parties conferred and stipulate to jointly recommend that, with respect to Counts 1 and  
21 2, the Court re-impose concurrent 119-month sentences (also concurrent with the  
22 sentence imposed in case 2:08-CR-0140-KJD-LRL), to be followed by five years of  
23 supervised release under the same terms of supervision the Court imposed in the  
24

original judgment. The parties anticipate that, in light of the time Sangalang has already served, the 119-month concurrent sentences will result in his imminent release.

4. The government reserves its objections to the Court's decision to grant Sangalang's § 2255 motion. Once the Court enters an amended judgment, undersigned government counsel will report the adverse decision to the Department of Justice so the U.S. Solicitor General can decide whether to appeal that decision.

5. As confirmed in the attached declaration, Sangalang affirmatively waives his right to be present for resentencing pursuant to Federal Rule of Criminal Procedure 43(c)(1)(B), and expressly consents to the Court entering an amended judgment, re-imposing concurrent sentences on Counts 1 and 2 of 119 months' imprisonment to be followed by five years of supervised release.

6. For these reasons, the parties stipulate and agree to jointly recommend that the Court re-impose concurrent sentences on Counts 1 and 2 of 119 months' imprisonment to be followed by five years of supervised release, and that it enter an amended judgment to that effect. In light of this stipulation, the parties respectfully suggest that the Court vacate the July 12, 2018, resentencing hearing as unnecessary.

DATED this 25th day of June, 2018.

RENE L. VALLADARES  
Federal Public Defender

DAYLE ELIESON  
United States Attorney

By: s/Sunethra Muralidhara  
Sunethra Muralidhara  
Asst. Federal Public Defender  
*Counsel for Christopher Sangalang*

By: s/ Elizabeth O. White  
Elizabeth O. White  
Appellate Chief and  
Assistant United States Attorney  
*Counsel for the United States*

1  
2 UNITED STATES DISTRICT COURT

3 DISTRICT OF NEVADA

4 UNITED STATES OF AMERICA,

5 Plaintiff,

6 v.

7 CHRISTOPHER SANGALANG,

8 Defendant.  
9

Case No. 2:08-cr-00163-JCM-GWF

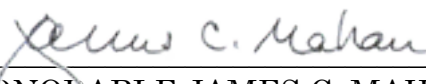
**STIPULATION REGARDING  
RESENTENCING**

10 Based on the pending Stipulation of counsel, and good cause appearing:

11 IT IS ORDERED that Sangalang be resentenced on his convictions on Counts 1  
12 and 2 in this case to 119 months' imprisonment (to be served concurrent with each other  
13 and concurrent to the sentence imposed in case 2:08-CR-0140-KJD-LRL), to be followed  
14 by five years of supervised release. The Court will enter an amended judgment to that  
15 effect.  
16

17 IT IS FURTHER ORDERED that the resentencing hearing scheduled for July 12,  
18 2018, at 10:00 a.m. be, and the same hereby is, VACATED.

19 DATED June 26, 2018.  
20  
21

22   
23 HONORABLE JAMES C. MAHAN  
24 UNITED STATES DISTRICT JUDGE

# Exhibit 1

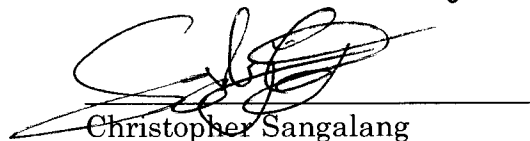
UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

|                           |   |                         |
|---------------------------|---|-------------------------|
| UNITED STATES OF AMERICA, | ) |                         |
|                           | ) |                         |
| Plaintiff,                | ) |                         |
|                           | ) |                         |
| v.                        | ) | 2:08-cr-00163-JCM-GWF-1 |
|                           | ) |                         |
| CHRISTOPHER SANGALANG,    | ) |                         |
|                           | ) |                         |
| Defendant.                | ) |                         |
| _____                     | ) |                         |

**DECLARATION IN SUPPORT OF**  
**JOINT STIPULATION**

1. I, Christopher Sangalang, am the Defendant in the above-captioned case and the movant who sought relief pursuant to 28 U.S.C. § 2255. On June 4, 2018, this Court granted the 28 U.S.C. § 2255 motion to vacate.
2. I have read and discussed with my attorney, Assistant Federal Public Defender Sunethra Muralidhara, the Joint Stipulation and proposed resolution to be filed in this case.
3. I agree with and consent to the Joint Stipulation. Namely, the parties' jointly recommend a sentence of 119 months followed by five (5) years' supervision.
4. It is my understanding that the government may appeal the Court's Order, ECF No. 739 upon entry of the new judgment of conviction. I reserve the right to defend my sentence on appeal and file any cross-appeals as determined by my counsel.
5. I hereby consent to a re-sentencing hearing without my presence.

DATED this 6 day of June, 2018.

  
Christopher Sangalang